

Remarks.

The Examiner has indicated that claims 6 and 15 would be allowable if rewritten in independent form and amended to overcome the Section 112 rejection.

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Accordingly, Applicant has rewritten and amended claims 6 and 15 as suggested by the Examiner.

1/. The drawings have been objected to.

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Accordingly, Applicant files herewith 9 sheets of corrected drawings for Figs. 1-9. The corrected drawings have lines and reference numerals which are bolder than those drawings originally filed with this application and Applicant is of the opinion that these corrected drawings are in compliance with 37 CFR 1.121(d).

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2/ The disclosure has been objected to because the Examiner maintains that the term "bearing race" used throughout the specification is "different from that which is generally accepted in the art to which this invention pertains"

20 Accordingly, Applicant has inserted into the specification two paragraphs to clearly define the meaning of the term "bearing race" as used throughout the specification.

Applicant is of the opinion that the aforementioned definition does not introduce new matter into the disclosure and that this definition is wholly consistent with the written description, claims and the drawings.

5 3/-4/ Claim 14 has been rejected under 35 USC 112 as failing to comply with the enablement requirement.

More specifically, the Examiner has stated that "The specification does not differentiate between the bore and the internally splined bore."

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Claim 14 is reproduced as follows with reference numerals included therein for clarity:

14. A spline lubrication apparatus as set forth in claim 7 wherein

15 said shield 40 is of annular configuration, said shield shielding said inner ring 66, said outer ring 68 and said bearing race 70 so that said portion 42 of said flow of lubricant 44 is diverted through said bore 32 between said plurality of splines 26-28 and said intermeshing internally splined bore 32 for inhibiting fretting corrosion of said intermeshing splines 26-28 and splined bore 32.

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On page 14, lines 5-11, the specification teaches:

Fig. 8 is an enlarged view of the shield 40 shown in Figs. 3, 4 and 6. As shown in Fig. 8, the shield 40 is of annular configuration. More particularly, the shield 40 shields the inner ring 66, the outer ring 68 and the bearing race 70 so that the portion 42 of the flow of lubricant 44 is diverted through the bore 32 between the plurality of splines 26-28 and the intermeshing

5 internally splined bore 32 for inhibiting fretting corrosion of the intermeshing splines 26-28 and splined bore 32.

As shown particularly in Fig. 1, the bore 32 is an internally splined bore. More particularly, as shown in Fig. 1, the bore 32 is shown as defining a plurality of longitudinal extending teeth

10 which extend radially inwardly and which are spaced equidistantly within the bore 32. Therefore, throughout the specification and claims the term bore 32 and the term internally splined bore 32 are referring to the same element.

Therefore, Applicant is of the opinion that claim 14 is enabling and that one skilled in the art

15 would understand from the description and drawings that the diverted flow would flow through the bore 32 which is the internally splined bore around the intermeshing splines 26-28 for inhibiting fretting corrosion.

5/-6/ Claims 1-17 have been rejected under 35 USC 112 as being indefinite.

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More specifically, the Examiner has stated that "the intended scope of the phrase "rotatable spline" is unclear and confusing because it is not clear as to how a spline can include a shaft".

Accordingly, Applicant has amended independent claims 6 and 15 to recite:

.....a housing;

- 5 a shaft having a first and a second end and an external surface extending between said first and second ends, said external surface defining a plurality of longitudinally extending splines such that said shaft defines a rotatable spline disposed within said housing;

The Examiner has further stated that in the claims 1-17 and particularly claim 14, reference is

- 10 made to "an internally splined bore" and "said bore".

As stated hereinbefore, throughout the disclosure the internally splined bore and "said bore" are referring to the same element 32.

- 15 More specifically, the lubricant is diverted through the bore 32 so that the lubricant flows past the "internal" splines of bore 32 and the "external" splines 26-28 of the shaft 12 shown in Fig. 1.

The Examiner has stated that in claim 10, it is not clear as to what is meant by "self contained".

- 20 The specification at page 5, lines 7-10, page 8, line 19 and page 13, lines 16-17 explain how the gearbox and bearings are self contained that is they can be assembled as a single unit.

Applicant has amended the specification to specifically define the term "bearing race" to apply to the array of ball bearings or tapered bearings that are disposed between the inner and outer rings.

Accordingly, by the amendments and remarks, Applicant is of the opinion that the rejection of

5 claims 1-17 under Section 112 has been overcome.

7/ Claims 1-5, 7, 10-14 and 16-17 have been rejected under 35 USC 102(b) as being anticipated by US 3,785,458 to Caldwell et al.

10 **US 3,785,458 to Caldwell et al** teaches a splined shaft and a shield 39 for diverting oil through a tube 40.

Accordingly, Applicant has canceled claim 1 and 16 and 17 and has amended claims 2-5, 7, 10-14 to depend from rewritten claim 6.

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8/ Claim 8 has been rejected under 35 USC 103 (a) as being unpatentable over US 3,785,458 to Caldwell et al in view of US 3,605,523 to O'Brien.

20 **US 3,605,523 to O'Brien** describe an arrangement which includes a plurality of tapered roller bearings.

Accordingly, Applicant has amended claim 8 to depend from rewritten claim 6. Therefore,

modified claim 8 defines further non obvious features over the combined references and should be allowable.

9/ Claim 9 has been rejected under 35 USC 103 (a) as being unpatentable over US 3,785, 5 458 to Caldwell et al in view of JP 04-83999.

JP 04-83999 discloses a gearbox having ball bearings and a splined shaft.

Therefore, Applicant has amended claim 9 to depend from rewritten claim 6. Accordingly,

10 modified claim 9 defines further non obvious features over the combined references and should be allowable.

Reexamination and reconsideration of the claims as amended is requested.

15 By this amendment, claims 6 and 15 have been rewritten in independent form and have been amended to overcome the Section 112 rejection. Claims 1, 16 and 17 have been cancelled.

Claims 2-5, 7-14 have been amended to depend from rewritten claim 6. Claims 5, 8, 9 and 14 while depending from claim 6 remain as original. Claims 2-15 remain in this application.

20 Allowance of claims 2-15 is earnestly solicited.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "David J. Archer".

David J. Archer.

10 Applicant's representative.

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